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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/559,798

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Andreas Tagesson

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HARRITY & HARRITY, LLP  
11350 RANDOM HILLS ROAD  
SUITE 600  
FAIRFAX, VA 22030

EXAMINER

NGUYEN, SIMON

ART UNIT

PAPER NUMBER

2618

MAIL DATE

DELIVERY MODE

11/03/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b>	<b>Application No.</b> 10/559,798	<b>Applicant(s)</b> TAGESSON ET AL.	
	<b>Examiner</b> SIMON D. NGUYEN	<b>Art Unit</b> 2618	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 28 September 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: \_\_\_\_\_.
- Claim(s) objected to: \_\_\_\_\_.
- Claim(s) rejected: \_\_\_\_\_.
- Claim(s) withdrawn from consideration: \_\_\_\_\_.

#### AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_
13. ☐ Other: \_\_\_\_\_.

November 2, 2009

/SIMON D NGUYEN/  
 Primary Examiner, Art Unit 2618

Continuation of 11. does NOT place the application in condition for allowance because:

Let make one thing clear, Examiner has combined Boesch with Ono to reject independent claims under 35 USC 103 rejection in order to make it easier to understand, but it is really not necessary to combine since Boesch or Adar, each alone teaches all limitations in independent claims.

a) firstly, Boesch discloses a multi-band transmitter, wherein the transmitter inherently comprises a generating unit, a processing unit, a power amplifier, in figs 4, 6, and 7, Boesch discloses the same technique of switching on/off between two frequency bands to be transmitted, discloses a first connection between a generating circuit and a processing circuit (amplifier 702, 712, 604, 414) via switch 722 for transmitting a 1900-MHz TDMA band and a second connection between the generating circuit (710, 720) and the processing circuit (702, 712, 604, 414) via switch 726 for transmitting a 800-MHz band, wherein the switches 722, 724 will be broken when the 800-MHz band transmitting on the second connection and the switches 724 and 726 will be broken when the 1900-MHz TDMA band transmitting on the first connection (column 8 lines 20-47, column 10 line 11-51).

Furthermore, in fig. 8, Boesch discloses a power amplifying circuit 800, in low band signals, there are two connections between a generating circuit (for example, 715) and the amplifying circuit (802, 912 of PA 800), for TDMA operation, switch 822 is closed while switch 824 is open to pass the TDMA signal from the generating circuit to the amplifying circuit. In the case of the 800-MHz band, switch 822 is open while switch 824 is closed caused the 800-MHz signals to pass from the generating circuit to the amplifying circuit (column 11 lines 25-49).

Reviewing the specification and figures in the application, in figure 2, Applicant discloses a power amplifier 18 and a modulation unit 16 connected to each other via two connections 22, 24, a switch 20 is connected to a connection 24 of the two connections and arranged to break the connection between the modulation unit and the power amplifier (abstract). Now, Applicant is invited to take a look at Boesch, where Boesch discloses exactly the same and more details than the application, Boesch discloses a multi-band transmitter for transmitting 1900 MHz band and 800 MHz band (figs. 4, 6-7), wherein the transmitter inherently comprises a modulation unit, a processor, and a power amplifier, wherein the 800/1900 MHz bands are generated by the generating unit or modulation unit in the transmitter, wherein each band connected between a generating unit (for example, unit represented in the right hand side of the switch 722, 726 of fig. 7) and a processing unit (power amplifier 607, 414 (fig. 7)), if the transmitter transmits 1900 MHz, the switch 422 will close and the switch 426, 424 will open (break) to prevent the 1900 MHz leaking to the second connection (via PA 414, for example) and vice versa. From the figures and specification of Boesch, Boesch disclosed exactly the same limitations as disclosed by the Applicant.

b) Secondly, Adar discloses a multi-band amplifier in a transmitter, wherein the transmitter inherently comprises a generating unit, a modulation unit, and a power amplifier, wherein the transmitter having at least one switch located between the signal generating unit and the signal processing unit (PA) (158 of figs. 4, 5b, d) or 249 of figs. 6-7), wherein the switch is used to break the first and second connections respectively to the first and second transmission frequency bands. Adar in figs. 5a discloses for a generating 800 MHz signal to transmit to the amplifier 152, switch 190 is closed and switch 192 is open. For the generating 1900 MHz signal to transmit to the amplifier, switch 190 is open and switch 192 is closed. Furthermore, In fig. 4, Adar discloses one switch for connecting either 800 MHz signal or 1900 MHz signal, for a generating 800 MHz signal to transmit to the amplifier, the switch 154 is closed on a first connection (via 160) and for the generating 1900 MHz signal to transmit to the amplifier, the switch 158 is closed on a second connection 162. ( abstract, column 1 lines 4-6, column 2 lines 1-15, column 6 lines 8-25, 35-55, column 9 lines 57-62). It should be noted that a signal generating unit or a modulator is inherently in a transmitter; Adar further discloses the power amplifier chip (the processing chip) (column 12 line 64).

From the cited portions above, Boesch and Adar, each alone teaches "at least one switch connected between the signal generating unit and the signal processing unit in which when transmitting the signals in the first frequency band on the first connection, breaking the second connection between the signal generating circuit and the signal processing circuit and when transmitting the signals in the second frequency band on the second connection, breaking the first connection between the signal generating circuit and the signal processing circuit.

Reviewing the claimed invention against Adar, Adar discloses all limitations in the independent claims of the Application, in fig. 5A, Adar also discloses a two-frequency-band, 1900 MHz band and a 800 MHz band in a transmitter, the first switch 190 is closed and the switch 192 will be opened when the 800 MHz band is being transmitted, and the switch 192 is closed and the switch 190 will be opened when the 1900 MHz is transmitted, wherein the transmitter inherently comprises a processor, a generating unit, wherein the generating unit or the modulation unit in the transmitter generates the 800/1900 MHz band in the transmitter. Therefore, Adar alone also disclosed all limitations in the independent claims.

c) In conclusion, Boesch or Adar alone, teaches all limitations in the independent claims since the signal generating chip is inherently in a transmitter of either Boesch or Adar, because without the generating chip, the transmitter can not generate the 800 and 1900 MHz bands.